STUDENT DISCIPLINE GUIDELINES APRIL, 2003

FOR USE WITH
DISTRICT
CODES
OF ACCEPTABLE BEHAVIOR
AND DISCIPLINE

STUDENT DISCIPLINE GUIDELINES

INTRODUCTION

For decades, both research and practice indicate that students learn at highest levels in a safe, orderly environment that addresses individualized learning styles. When students are actively engaged in school – both instructionally and behaviorally – they are motivated learners with academic successes.

Optimal school discipline supports instructional practices, and includes students, families, educators, and the community in the creation and use of their student discipline codes and procedures.

To achieve optimal learning conditions, schools and districts need to develop and implement discipline policies and practices that promote safe, orderly educational campuses. Such policies and practices are described in the local district discipline code, which each school board approves and the local school council reinforces with selection by policy of discipline and classroom management techniques.

These student discipline guidelines have been prepared to assist local boards of education in developing or refining current district discipline codes. Local boards and school councils are encouraged to annually involve a cross section of their community in the development and review of their discipline codes.

SECTION I

A. Purpose of the Student Discipline Guidelines

- Assist school districts with Safe School Plans

- Assess school safety and discipline needs

- Analyze district level data, resources, policies, and procedures

- Identify district-wide needs through an individual school assessment process

- Identify immediate and long-term strategies that address school safety and discipline

B. Student Discipline Guideline Objectives

- Ensure school safety

- Improve the learning environment

- Improve student achievement

- Reduce the dropout rate

C. Principles to Guide Local School Districts and School Councils

- Statewide Data on Major Discipline Problems - Collect and disseminate the Safe Schools Project results

- Reasons Why Students Dropout of School - Collect and disseminate the Student Dropout Survey results

- Successful Strategies Used in Kentucky and Other States – Collect and include in the student discipline guidelines

D. Formation of a Code of Acceptable Behavior/Discipline Recommendations

- Classroom Management Techniques (identify appropriate discipline and classroom management techniques to carry out the code)

- Expected Behavior (identify types of behavior expected from each student)

- Consequences (identify consequences for failure to obey the standards)
- Responsibilities (identify student, parent teacher, counselor, and principal responsibilities)

- Due Process (identify procedures for student due process because of school suspension, exceptional children, primary)

- Non-Discrimination (cite reasons why the code of behavior and discipline should be uniformly applied to each student at the school without partiality or unlawful discrimination)

- Communication (establish procedures for school postings, dissemination to guidance counselors, use in student discussion, inclusion in school handbooks and providing copies for employees and parents)

- School Property Incidents (identify procedures for school property incidents and law enforcement)

- Immediate Removal from the Classroom (develop procedures for threatening or violent student removal or suspension from the classroom).

- Intervention Strategies (discipline action up to and including expulsion from school for weapons, drug, assault, and abuse violations) (dropout prevention for requesting districts and KDE dropout reporting requirements)

SECTION II

A. Student Discipline Guidelines (Inclusion Sections)

- Introduction

    1. Philosophy
    2. Rationale
    3. Mission
    4. Beliefs

B. District Management Standard (Inclusion Examples)

- Orderly operation of schools
- Appropriate Student Supervision
- Opportunities for high student achievement in a productive learning environment
- Support and assistance for students at risk of failure

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- Planned and positive school atmosphere

- Regular and punctual school attendance
- Respect for school property
- Cooperation and productivity

C. District Process/Procedure (Inclusion Examples)

- Rights & Responsibilities (students, parents, teachers, principals, transportation)
- Student Conduct
- Disciplinary Action/Consequences (sequential)
- Grievance Procedures
- Transportation
- Special Education
- Alternative Education
- Drug Policies
- Physical Restraint
- Time Out Room Use
- Field Trips
- Reports To Law Enforcement
- Parent/Student Consent Form
- Definitions

SECTION III

A. Responsibilities and Authority of the Local Board of Education

Issue	KY Statutes	KY Regulations	Other
State-wide Student Discipline Guidelines Authorization	KRS 158.148	704 KAR 7:050	56 OAG 38, 720
Parent/Student Distribution and Public Inspection	KRS 158.148 (4)(d)		
Gun-free provision	KRS 158.150 (2)		
Criminal Acts Reporting in close Proximity to a Public School	KRS 158.155 (4)(b)		

Board Requirement   KRS 158.440
to Adopt Polices   KRS 160.290 (1),(2)
Concerning the
Conduct and Discipline
of Students

Developing Inter-   KRS 158.443(8)
Agency Agreements
for Cooperative Education-
related Services

School Safety and   KRS 158.445
Discipline Assessment

Student Code Including KRS 160.295
Student Responsibilities KRS 160.295 (6) (a)-(f)

Student Policies on   KRS 160.340 (2)(b)
File in Central Offices

Supervision of Student KRS 161.180(1)
Conduct

B. Responsibilities and Authority of the Superintendent and District

Issue	KY Statutes	KY Regulations	Other
Superintendent Responsibility for "overall implementation and supervision" of the District Discipline Code	KRS 158.148 (4)(a) KRS 160.370		
Superintendent	KRS 158.150(5)		
Authority to Suspend Students	KRS 158.150 (1)-(7)		

C. Responsibilities and Authority of the School-based Decision Making Council

Issue	KY Statutes	KY Regulations	Other
Adoption of school council Policies	KRS 160.345 (2)(i)7		
Addressing "selection and implementation of discipline and classroom management techniques a part of the comprehensive school safety plan..."	KRS 158.148 (4)		

D. Student Rights and Responsibilities

Issue	KY Statutes	KY Regulations	Other
Conduct Conformity/ Disciplinary Action Conduct Infringing on the Rights of Others	KRS 158.150(1) KRS 158.150 (1)(a)(b) KRS 160.295(7)		
"should have access to a safe, secure and orderly school that is conducive to learning"	KRS 158.440		
Code Applied Uniformly and Fairly, without Partiality or Discrimination	KRS 158.148 (4)(c)		

SECTION IV

A. Legislation References to Develop District Board Policies and Discipline Guidelines

Process/Procedure	KY Statute	KY Regulation	Other
Due Process	KRS 160.295 (6)(a)-(f) KRS 158.150	704 KAR 7:050	
Discrimination			$1^{st}/14^{th}$ Amendments, U.S. Constitution
Student Records Disclosure	KRS 61.878 (1)(a) KRS 61.878 (1)(k) KRS 160.700 (3) KRS 160.705 (1),(2) KRS 160.710 KRS 160.720 (2)(c)(d) KRS 160.730		Family Education Rights and Privacy Act 1974 (federal) 20 USC 1232 (g)
Student Records Maintenance	702 KAR 7:125 KRS 161.200		
Student Records Transfer	KRS 158.032 (3)(4)(5)		

Grades, Grade Reduction & Loss of Credit	KRS 159.140	704 KAR 7:050	72 OAG 753 79 OAG 68 75 OAG 124 79 OAG 539 96 OAG 28
Search & Seizure	KRS 158.150		4th Amendment, U.S. Constitution 93 OAG 168 93 OAG 32

Student Consequence Options	KY Statutes	KY Regulation	Other
Alternative Education	KRS 158.150 KRS 158.44(1),(2) KRS 160.345 (1)(b) KRS 160.345 (1)(b)(3)	703 KAR 4:080 (5) 704 KAR 20:165 (14)	
Corporal Punishment	KRS 161.180 KRS 503.110		78 OAG 704
Non-discrimination/ Children with Disabilities: (Suspension/Expulsion)	KRS 157.200 KRS 158.150		Disabilities Ed. Act (IDEA) 20 U.S.C./1412 1997 P.L. 105-17
Non-discrimination/ Children with Disabilities: (Weapons/Illegal Drugs)	KRS 158.148 KRS 158.150 (4),(5),(7)		21 U.S.C. 812
Disciplinary Action/ Expulsion/Suspension	KRS 158.148 KRS 158.150 (1),(2), (5), (7)	704 KAR 7:050	KY. 521 S.W. 2d, 76 (1975) 77OAG 547/312 84 OAG 65 21 U.S.C. (812)
In-School Alternative to Suspension (alternative education programs)	KRS 158.148		
Detention			61 OAG 293
Probation	KRS 160.290		

Student Violations	KY Statutes	KY Regulations	Other
Attendance	KRS 159.010 KRS 159.010 (2)(4) KRS 159.030 KRS 159.051		
Drugs/Alcohol	KRS 158.150 KRS 214.185		Safe-Drug Free Schools, 20 USC 7116 (1989)(federal) 82 OAG 633
Tobacco	KRS160.290 KRS160.340 KRS 438.047 KRS 438.050		Pro-Children Act of 1994, 20 USC 6081 79 OAG 168 93 OAG 32
Truancy	KRS 159.010 KRS 159.080 KRS 159.130 KRS 159.150		
Theft/Vandalism	KRS 158.150		
Student Dress Code	KRS 160.290 (2) KRS 160.295 (6)(a)	704 KAR 7:050	1st& 14th Amendments, U.S. Constitution 73 OAG 233 73 OAG 284
Weapons	KRS 158.154 KRS 158.150 (2)(3) KRS 527.100 (3)		Federal Gun Free Act 20 USC8921 (1994)
Bus Discipline	KRS 158.150 KRS 161.180	702 KAR 5:050 702 KAR 5:080	78 OAG 392
Personal Telecommunication Devices	KRS 158.165		
Gangs	KRS 158.150 KRS 160.295 KRS 506.140		